

**PLANNING AND ZONING COMMISSION  
STAFF REPORT**

**April 15, 2010**



**FP10-03: proposed Final Plat of Highland Hills Subdivision**

**SIZE AND LOCATION:** 13.05 acres of land out of John Austin Survey, Abstract No. 2 adjoining the north corner of the intersection of Briarcrest Drive (F.M. 1179) and the northbound frontage road of North Earl Rudder Freeway (State Highway 6) in Bryan, Brazos County, Texas

**EXISTING LAND USE:** vacant acreage

**ZONING:** Planned Development – Mixed Use District (PD-M)

**APPLICANT(S):** Harrison Holdings, L.P.

**AGENT(S):** RMC-Texas Real Estate Corporation and Civil & Environmental Consultants, Inc.

**STAFF CONTACT:** Martin Zimmermann, Planning Administrator

**SUMMARY RECOMMENDATION:** Staff recommends **approving** this proposed final plat, **subject to certain conditions**, including recommended modifications to the information displayed on the final plat document.



## **BACKGROUND:**

The property owners, Harrison Holdings, L.P. desire to subdivide these 13.05 acres of currently vacant land, located at the north corner of the intersection of Briarcrest Drive (F.M. 1179) and the northbound frontage road of North Earl Rudder Freeway (State Highway 6), into two lots intended for nonresidential use. The proposed lots are 8.19 acres and 3.2 acres in size, respectively. The final plat also shows the proposed dedication of 1.64 acres of land for a new 80-foot wide street proposed to extend perpendicular from Briarcrest Drive (FM 1179) for a distance of approximately 1,050 feet.

On March 30, 2010, the City Council approved a rezoning request of 40+ acres of land located between Briarcrest Drive (FM 1179), North Earl Rudder Freeway (SH 6) and Boonville Road (FM 158), to Planned Development – Mixed Use (PD-M) District. The 13.05 acres proposed to be subdivided with this final plat are part of that PD-M District.

As required by the Subdivision Ordinance, in order to subdivide this property into building sites, i.e. lots, the applicants submitted a preliminary plan application (case no. PP10-02) for review by the Site Development Review Committee (SDRC) on January 20, 2010. The SDRC provided comments regarding the applicants' preliminary plan submission and subsequent revisions on January 26 and March 30, 2010. This application for approval of the related final plat (case no. FP10-03) was received on March 24, 2010 for which the SDRC provided review comments on March 30, 2010.

As this staff report is being written, some technical questions/issues regarding the subdivision of this acreage into two lots and the dedication and extension of a new public infrastructure remain to be addressed, including, but not limited to the exact location of proposed public water and sewer line extensions and stormwater management. The applicants have been negotiating a development agreement with the City of Bryan that is now scheduled for City Council consideration on April 27, 2010. As part of that development agreement, the City's participation is being sought to extend public infrastructure on this site, which is located in a tax increment reinvestment zone (TIRZ 22).

Final plats are not usually forwarded for consideration by the Planning and Zoning Commission until the SDRC has at least approved a related preliminary plan. At the applicants' request, this case was forwarded for consideration by the Planning and Zoning Commission without prior SDRC approval of the related preliminary plan with outstanding SDRC comments concerning this final plat submission. A copy of the latest draft preliminary plan is attached to the end of this staff report. The applicants are concerned that postponing consideration of this plat document until the Planning and Zoning Commission's next regular meeting on May 20, 2010 could cause undue delays to their development plans.

If Commissioners are inclined to approve this subdivision request, staff urges that any such approval be made subject to the recommended conditions listed below in this staff report. The conditions will help ensure that this final plat document will conform to all requirements of applicable codes and ordinances.

## **RECOMMENDATION:**

The Site Development Review Committee and staff recommend **approving** this proposed final plat, as shown on the attached draft final plat, **subject to** the following conditions:

- 1. That this final plat shall not be recorded with the Brazos County Clerk until all of the requirements for final plats of the City of Bryan Subdivision Ordinance and State law have been met.**

2. That all conditions required for approval (by the Site Development Review Committee) of the related preliminary plan of Highland Hills Subdivision (case no. PP 10-02) are completed prior to the recording of this final plat with the Brazos County Clerk.
3. That each of the following formal modifications to information displayed on the proposed final plat document are made:
  - a. Remove the sewer easement shown to cross Tom Light Drive.
  - b. Double check the metes-and-bounds description:
    - i. It looks as though that Line L9 should be included between the line bearing S 45 16 46 W-- 414.35' and the line bearing S 45 18 59 E – 280.02'.
    - ii. Curve C16 should be included between the line bearing N 26 46 41 E – 261.23' and the line bearing N 49 45 01 E – 121.68'.
  - c. Show the call for the line bearing S 44 37 48 E – 322.11' on the plat.
  - d. Clarify what is the bearing for the line connecting the ROW dedication/Property Line for Lot 1 – Line L16 -- and Curve C16.
  - e. Clarify purposed of dashed line that extends for the width of the gulf states utilities easement about 35 feet west of the ROW dedication. Please label or remove.
  - f. Consider moving the private storm sewer system to within the boundary for ROW for Current Road 1 and Future Road 2 and dedicating a concurrent 15' Public Drainage Easement for the system.
  - g. Correctly show current ownership distribution of land in Lot 1, Block B, Briarcrest Ridge Subdivision adjacent to these 13.05 acres.
  - h. Please show the name of this subdivision (e.g. in the title block) to be Highland Hills Subdivision (as shown on the related preliminary plan).
  - i. Please accurately show with solid lines used to depict property lines on this plat document, the correct boundaries of Tract C, Briarcrest Ridge Reserve Tract II. A solid line suggesting a property line currently is shown to extend from the southwesternmost corner of Tract C to a point on the property line shared with Lot 1 in Block A of Briarcrest Ridge Subdivision at the corner of Wildflower Drive and Prairie Flower Circle; however, no platted lot appears to be located between Tract C and that Lot 1.
  - j. Please remove word “proposed” from all easement labels on this final plat document.
  - k. Please clarify the proposed block numbering. The related preliminary plan shows no proposed Block number.
  - l. Please remove contours from this final plat document.
  - m. Please remove ownership label No. 2 from within the boundaries of proposed Lot 1.
  - n. Please add page numbers (1 of 2 and 2 of 2) to the title block on each page.
  - o. Please remove words “Owner’s Certificate, State of Texas, County of Brazos” from above the metes-and-bounds description and add a label “Metes and Bounds Description” in its place.
  - p. Please remove the first paragraph of the metes-and-bounds description and include the pertinent recording information in the “Certificate of Ownership and Dedication” signature block in accordance with the text for such a signature block shown in Subdivision Ordinance Section 110-34.
  - q. Please add label “Certificate of Ownership and Dedication” above that signature block shown left of center at the top of page 2.
  - r. Please include name and title for the person(s) that will be signing this final plat document.
  - s. Please leave sufficient room for or add the name of the person(s) that will be signing this final plat document in the notary public signature block. Please note that separate

**notary public signature blocks will be required if more than one person will sign this plat document.**

- t. Please use the wording for the Surveyor's Certification signature block that is shown in Subdivision Ordinance Section 110-34.**
- u. Please remove the notary public signature block certifying the surveyor's signature (not required).**
- v. Please leave sufficient room for the surveyor's seal.**
- w. Please leave sufficient room for the County Clerk's seal.**
- x. Please add a line for the signature by the County Clerk.**
- y. Please add titles for the following signature blocks: Certification by the County Clerk, Approval of the Planning and Zoning Commission, Approval of the City Planner, Approval of the City Engineer.**
- z. Please remove the signature block for the County Judge (not required).**
- aa. Show street names for the proposed new street and remove label "RIGHT OF WAY DEDICATION 1.6410 AC.". Please note that new street names should not duplicate or sound similar to any existing street names in Brazos County. To check for Brazos County street names, please go to <http://www.brazos911.dst.tx.us/msag/>.**